

**THE BOARD OF GOVERNORS OF THE
NIAGARA COLLEGE OF APPLIED ARTS AND TECHNOLOGY**

BY-LAW NO. 2
(Internal Elections)

BE IT ENACTED as a By-law of the College as follows:

1. Candidates and Their Constituencies

Eligibility as staff will be determined by employee status at January 31st of the year of the election. Eligibility for student candidates will be determined by enrolment status in a Niagara College Program of Instruction (either part-time or full-time) at January 31st of the year of the election. Persons in each category must continue to meet the criteria at the time of the election in order to be eligible to vote or be nominated.

2. Terms of Office and Right to Renewal

Members elected by academic, administrative and support staff shall hold office for a term not to exceed three years and shall not serve for more than six years consecutively but are eligible for re-election after two years absence from the Board for successive terms not to exceed six years in total.

A member elected by the Students shall hold office for a one-year term and shall not serve for more than four years consecutively but is eligible for re-election after two years absence from the Board for successive terms not to exceed four years in total.

Where a person elected to the Board ceases temporarily or permanently to be an internal governor, the person ceases to be a member of the Board. Notwithstanding the above, a Student who graduates prior to the expiration of the Student's term may remain a member of the Board until August 31 in the year of their graduation.

Except in the case of a by-election to fill a vacancy during a term, all internal governors shall take office on the 1st day of September in the year of their election. All internal governors' terms will terminate on August 31 of the year in which the term ends.

3. Provision for Time to Attend Meetings and Activities of the Board

The Board will not schedule meetings in a deliberate attempt to exclude any internal governor from attending because of their employment or academic obligations. Every attempt will be made to release an internal governor from their employment or academic obligations to attend meetings and activities of the Board.

4. Filling of Mid-term Vacancies

Where a vacancy occurs for an internal governor position on the Board, for any reason, the Board will declare the position vacant and order a by-election provided that more than three months remain before the next regular election; if less than three months remain, the position will remain vacant until the election takes place.

5. **Co-ordination and Conduct of Elections**

Election of the Student Governor will be coordinated with the Student Administrative Council (SAC). The position of Student Governor will be incorporated into the SAC elections. As with other internal governors, the elected Student Governor will serve on the Board for a term beginning September 1 and ending August 31. Unlike representatives of the SAC, whose term runs from May 1 to April 31, the Student Governor does not act as a Student advocate but instead participates in institutional governance as a member of the Board.

For all other internal governor positions, the Secretary of the Board, as defined in the By-law No. 1, or their delegate will perform the duties of CRO for the elections. The CRO will be responsible for the co-ordination and conduct of the election process and will supervise the election procedures.

The CRO is responsible for ensuring that the SAC election procedures for electing the Student Governor are not in conflict with the Board's election procedures.

6. **Online Election Process**

Elections shall be conducted online with appropriate safeguards in place to ensure the integrity of the election process.

7. **The Election Process**

A) **Call for Nominations**

A call for nominations will be announced via internal e-mail and posted on designated areas of the College's website. The call will include the positions for which elections are being held, the election date and the deadline for submitting nominations. The nomination period will be no less than two (2) weeks from the date of the call and will typically occur in late January through early February, subject to annual variation.

Nomination forms will be made available to all College staff and Students. Staff and Students may self-nominate for election. Completed nomination forms for each employee group are to be submitted to the CRO by the date and time specified. Each nomination must be endorsed by two members of the constituent group being represented and signed by the candidate indicating their willingness to stand for election. Student Governor candidates are also required to gather a specified number of Student endorsements, as determined by the CRO.

All candidates are required to attend a mandatory information session and participate in an "All Candidates Meeting," during which campaign rules are reviewed, and candidates formally confirm their candidacy. Candidates must agree to abide by the election rules, which will be provided in advance.

Where only one nomination is received to represent a constituent group, that candidate will be declared elected by acclamation.

B) Campaigning

After nominations are closed, a list of nominees for each group, in alphabetical order, will be prepared by the CRO and circulated by e-mail and/or posted on the College's web site. At this stage, candidates may begin campaigning to raise their profile and inform voters about their platforms, in accordance with the established election rules.

A minimum of one week will be provided for approved nominees to campaign for office.

The CRO will establish guidelines and procedures for internal elections. Candidates will be required to agree in writing to abide by the policies, procedures and guidelines for the election of members to the Board. Failure to do so will result in the candidate's disqualification from running in the election.

All candidates are responsible for their own campaign expenses. Campaign materials may include posters, social media content, and campus events. Use of College facilities, equipment, and photocopying is permitted, provided it complies with the guidelines and procedures established by the CRO.

Should the CRO find a candidate or their helper to be in violation of this By-law or the guidelines and procedures for internal elections, the CRO shall take such action as they deem reasonably necessary to ensure compliance with this By-law and said guidelines and procedures, up to and including disqualifying the candidate from running in the election.

C) Notification of Election Dates

The CRO will fix the date of the election, allowing the required time for the call for nominations and campaigning by candidates. These dates will be included in the call for nominations and on the nomination form and will serve as first notice to the electorate.

After nominations are closed, notices will be sent by e-mail and/or posted on the College's web site.

D) Voting

Each eligible voter is permitted to cast one ballot in the election and may vote only within the constituent group corresponding to their affiliation with the College. The format of the electronic ballots shall be approved by the CRO.

Voting is conducted electronically, with ballots distributed via secure, individualized links sent to College staff and Student email accounts. The voting platform is administered by the SAC. Voting is secure, anonymous, and typically takes place over several days.

Computer-generated voters' lists will be prepared following the close of nominations and made available to candidates for review at the President's office. Once a vote is cast, the voter will be unable to re-enter the voting portal.

E) Counting of Ballots

The counting of ballots shall be conducted as determined by the CRO and supervised by the CRO. Candidates will be notified in advance of the date and time of the count and may attend in person or designate a representative to observe the process.

The successful candidate will be determined by a simple majority of votes cast within the applicable constituent group. In the event of a tie, the CRO will conduct a draw by lot.

On the specified day, the CRO will confirm the results of the online vote. The number of online votes cast will be compared against the total number of voters in the relevant constituent group. If a discrepancy is identified, the Chair of the Board will assess whether it is significant enough to warrant voiding the election results.

Once the total number of voters has been verified against the official voters' list, the count will proceed. Election results are typically announced the day following the close of voting, generally around 12:00 p.m. (noon EST), unless otherwise determined by the CRO.

Candidates may submit a request for a recount within five working days of the results being announced. If accepted by the CRO, a recount will be conducted.

F) Dispute Resolution

Any appeal of a ruling made by the CRO, including decisions related to candidate eligibility, campaign conduct or the campaign election results, shall be referred to the chair of the Board for final determination.

Complaints concerning a candidate's eligibility or campaign conduct must be submitted in writing within three working days following the CRO's decision. The appeal should include the decision by the CRO being appealed, a description of the situation and the resolution sought by the appellant.

Complaints related specifically to the outcome of the election must be submitted within five working days following the official announcement of the vote. If no complaints are received within 10 working days of the official announcement of the vote, all election-related materials shall be securely destroyed.

8. Notifications

Candidates will be informed of the results by the CRO once the official count has been completed.

The Board will be informed of the results at next meeting of the Board.

9. Orientation of Elected Members

Elected members will participate in the regular orientation program usually held in September of each year.

10. Close of Elections

At the close of each election, the CRO will complete a validation form indicating the candidates' names, number of votes cast for each candidate, number of spoiled ballots, and total number of electronic votes cast. This validation form shall be signed by the CRO.

11. **Installation of New Members**

New members will begin their duties in September of each year unless otherwise stipulated in the call for nominations.

ENACTED BY THE BOARD OF GOVERNORS of The Niagara College of Applied Arts and Technology and sealed with the corporate seal the 22nd day of January, 2004; revised the 6th day of June, 2006; revised the 20th day of October, 2016; revised the 8th day of June, 2023; and further revised on the 11th day of December, 2025.



Chair
Niagara College Board of Governors



Secretary
Niagara College Board of Governors